

Clerk, U.S. District Court
Southern District of Texas
FILED

A091 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

APR 19 2017

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

v.

Oscar Daniel VILLARREAL
Whitney WELLS

CRIMINAL COMPLAINT

Case Number: C-17-407 M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 4/18/2017 in Nueces County, in the (Date)

Southern District of Texas defendant, Oscar Daniel VILLARREAL & Whitney WELLS

did knowingly and intentionally possess with intent to distribute, methamphetamine & heroin, to wit: approximately 245 grams (gross weight) of methamphetamine, and 28 grams (gross weight) of heroin, a Schedule II Controlled Substance

in violation of Title 21 United States Code, Section(s) 21 USC 841 & 846.
I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

See Attached Affidavit of ICE Special Agent

Victor W Rowley

Continued on the attached sheet and made a part of this complaint:

Yes No

Signature of Complainant

Victor W Rowley

Printed Name of Complainant

Sworn to before me and signed in my presence, and Probable Cause Found:

April 19, 2017

Date

Jason B. Libby, U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

Signature of Judicial Officer

AFFIDAVIT

On April 4, 2017, Special Agents from Homeland Security Investigations (HSI), Corpus Christi Police Department (CCPD), the Department of Public Safety (DPS), and the U.S Border Patrol executed federal search warrant C-17-339M on the residence of Oscar Daniel VILLARREAL and Whitney WELLS in Corpus Christi, Texas. Agents and officers found approximately 189 grams of Methamphetamine, 27 grams of Heroin and a stolen 9MM Smith & Wesson semi-automatic pistol, fully loaded. At the time of the search warrant Oscar Daniel VILLARREAL and Whitney WELLS were not present at the residence, consequently they were not arrested.

On April 18, 2017, Special Agents from HSI Corpus Christi, Texas were notified by the CCPD that they had stopped a red Toyota RAV4 driven by Oscar Daniel VILLARREAL and his passenger Whitney WELLS. Oscar Daniel VILLARREAL had an active Municipal Court Warrant. A search of the vehicle and occupants led to the discovery of approximately 56 grams of methamphetamine and 1 Gram of Heroin which were concealed in Whitney WELLS' pants at the time of the arrest. AUSA Brittany Jensen accepted prosecution on both Oscar Daniel VILLARREAL and Whitney WELLS for violations of 21 USC 841 (a)(1) and 21 USC 846.

Probable Cause

On April 4, 2017, HSI Agents secured Federal Search Warrant C-17-339M allowing them to search the residence of Oscar Daniel VILLARREAL and his girlfriend Whitney WELLS. Oscar Daniel VILLARREAL, a known "Tango Blast Corpitos" Prison Gang Member had been arrested by the CCPD a number of times in possession of methamphetamine and heroin from June 2016 through January 2017. HSI Agents and CCPD Officers listened to numerous hours of recorded calls Oscar Daniel VILLARREAL made from the Nueces County Jail to his friends, family and co-conspirators. The following are but a few examples of the statements made by Oscar Daniel VILLARREAL during these calls:

a. **Date Time Call Number Duration**
1/21/17 20:55 75328051 15 mins

Oscar Daniel VILLARREAL had a conversation with one of his girlfriends, and she asked him to behave once he was granted a bond. Oscar Daniel VILLARREAL replied that he was a criminal, he would always be a criminal till the day he died, "I'm never going to behave, this is the life I chose."

b. **Date Time Call Number Duration**
1-31-17 02:05 75452340 15 Mins

Oscar Daniel VILLARREAL and Whitney WELLS stated that he had a plan for the two of them once he was out of jail. Oscar Daniel VILLARREAL stated that he was a "Criminal Mastermind" and a "Menace to Society" and that once he was out of jail they were going to make money, just the two of them.

c. Date Time Call Number Duration
2-4-17 21:30 75515141 15 Mins

Oscar Daniel VILLARREAL was very upset with his girlfriend Whitney WELLS and he told her, "I sell heroin. I sell ICE. I sell what people want." Oscar Daniel VILLARREAL stated, "I am the dope man."

On April 4, 2017, HSI Agents, CCPD Officer, DPS Agents, and Agents from the U.S Border Patrol executed federal search warrant C-17-339M on the residence. At the time of the search warrant Oscar Daniel VILLARREAL and Whitney WELLS were not present. During the search approximately 189 grams of Methamphetamine was found in the garage, in the kitchen, and in a room which was identified as Oscar Daniel VILLARREAL and Whitney WELLS' bedroom. Approximately 27 grams of Heroin was also found in their bedroom in plain view on the chest of drawers. Additionally, a fully loaded 9MM Smith & Wesson semi-automatic pistol was found concealed in between two cushions in the living room sofa. All the evidence was seized and the drug evidence sent to the DEA Lab for examination.

On April 18, 2017, CCPD Gang Officers were assisting DPS near David and 19th St, Corpus Christi, Texas, when they saw a red Toyota RAV4 which was driven by Oscar Daniel VILLARREAL pull into the sidewalk near an address. Gang Officers saw Oscar Daniel VILLARREAL behind the wheel and recognized him immediately as a "Tango Blast Corpitos" prison gang member who they had arrested numerous times. The Gang Officers also knew that he had an active Municipal Court Warrant (Warrant No. NT00914465, Bench Warrant – Possession of Drug Paraphernalia) and an Ineligible Driver's License. Gang Officers made contact with Oscar Daniel VILLARREAL and arrested him for the warrants.

Gang Officers noted that Whitney WELLS was extremely nervous, asked several times if she could leave, and repeatedly adjusted her short cut-off jean shorts. Gang Officers saw what looked like a medicine bottle in Whitney WELLS shorts, so they called for a female officer to conduct a pat down on Whitney WELLS. The female officer discovered a pill bottle in Whitney WELLS' pocket which had a number of pills, and approximately 1 gram of black tar heroin. The female officer also found and a plastic bag inside Whitney WELLS' shorts which contained approximately 56 grams of methamphetamine. Whitney WELLS was placed under arrest, and both subjects were transported to the DPS office.

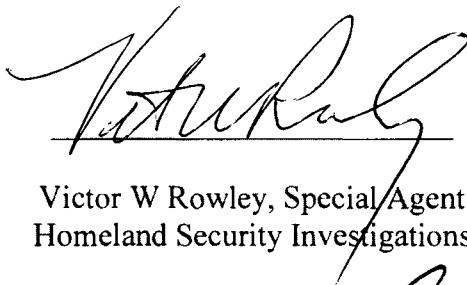
HSI and DPS Agents mirandized Oscar Daniel VILLARREAL and Whitney WELLS separately. Both indicated in writing that they understood their rights, and were willing to make statements without the presence of an attorney.

Oscar Daniel VILLARREAL stated that he did not have any knowledge of the methamphetamine or heroin found in Whitney WELLS' possession. Oscar Daniel VILLARREAL stated that he did not sell drugs, but that Whitney WELLS had a lot of connections, so if anything was found it might be hers.

Oscar Daniel VILLARREAL stated that he had no knowledge of the presence of any methamphetamine, heroin or pistols found in his residence on April 4, 2017. Oscar Daniel VILLARREAL again stated that Whitney WELLS had a lot of connections, and he did not.

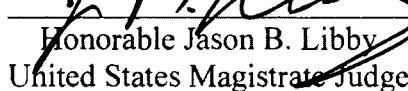
Whitney WELLS stated that Oscar Daniel VILLARREAL told her to put the 2 ounces of methamphetamine in her shorts and the pill bottle with the heroin in her pocket in order to shield him from trouble. Whitney WELLS stated that Oscar Daniel VILLARREAL sells narcotics but that she does not get involved in the details.

AUSA Brittany Jensen accepted prosecution on both Oscar Daniel VILLARREAL and Whitney WELLS for violations of 21 USC 841 (a)(1) and 21 USC 846.



Victor W Rowley, Special Agent
Homeland Security Investigations

SWORN AND SUBSCRIBED before me, this 19th day of April, 2017.



Honorable Jason B. Libby
United States Magistrate Judge